IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5343 of 2005

Between:

Korukanti Narsinga Rao, S/o. Narayana Rao,
R/o. Bangdalingapur, Ibrahimpatnam Mandal,
Karimnagar District.

..... PETITIONER

AND

1 The Joint Collector, Karimnagar, Karimnagar District.
2 The Dy. Collector, Food Flow Canal LA-II, SRSP LMD Colony,
Karimnagar, Karimnagar District.
3 The Manager, State Bank of Hyderabad, A.D.B. Branch,
Metpalli, Karimnagar District.
4 Kurama Nadipi Bhoomanna, S/o. Ramulu,
R/o. Yerrapur, Ibrahimpatnam Mandal, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing the cheque in favour of the 4th Respondent as being arbitrary, illegal and unconstitutional when the revision in pending before the 1st respondent and consequently direct the respondent No.3 not to release the cheque amount to the 4th respondent and to pass such other order or orders.

Counsel for the Petitioner: MR.D.BHASKAR REDDY

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

Counsel for the Respondent No.3: --

Counsel for the Respondent No.4: --

This Court at the admission stage made the following :

O R D E R:

The petitioner claims to be the absolute owner, possessor and pattadar of the land admeasuring Ac.5-10 cents in survey No.25 of Yerrapur Village of Ibrahimpatnam Mandal, Karimnagar District. He states that out of the said land of Ac.5-10 guntas, an extent of Ac.4-15 guntas was acquired for the purpose of flood flow canal of Sriram Sagar Project.

It is alleged that the fourth respondent on the basis of a fabricated and forged sale deed got his name mutated in the revenue records concerned in respect of Ac.3-37 guntas out of Ac.5-10 guntas of land belonging to the petitioner. Aggrieved by the same, the petitioner preferred an appeal before the Revenue Divisional Officer, Jagtiyal. However, the said appeal was dismissed by order dated 03-01-2005. Challenging the said order, the petitioner preferred a revision before the first respondent along with an application seeking a direction not to disburse the compensation amount till the disposal of the revision.

The grievance of the petitioner is that the first respondent has neither considered the revision nor passed any orders on the application seeking interim relief. However, in the meanwhile the second respondent is likely to pay the compensation amount to the fourth respondent on the basis of the forged document.

Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents 1 and 2 and in view of the fact that the statutory revision is pending before the first respondent, I deem it appropriate to dispose of the writ petition with a

direction to the first respondent to dispose of the application filed by the petitioner seeking interim relief in his Revision Petition filed under Section 23 (1) of the Andhra Pradesh Rights in Land and Pattedar Pass Book Act, 1989, against the order of the Revenue Divisional Officer, Jagityal, dated 3-1-2005 and to pass appropriate orders, in accordance with law, within a period of two weeks from the date of receipt of this order. Till such disposal, there shall be a direction to the respondents 2 and 3 not to disburse the compensation amount, if not already disbursed as on today.

The writ petition is accordingly disposed. No costs.

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(**G. ROHINI, J**)

Date: 16-03-2005

Note:

Issue CC by tomorrow.

(B/o)

ghn

To

1 The Joint Collector, Karimnagar, Karimnagar District.
2 The Dy. Collector, Food Flow Canal LA-II, SRSP LMD Colony, Karimnagar, Karimnagar District.

3 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (O.U.T.)

4 Two CD copies.